

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES INVESTOR PROTECTION :
CORPORATION, :

Plaintiff-Applicant, :

v. :

BERNARD L. MADOFF INVESTMENT :
SECURITIES, LLC, :

Defendant. :

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In re: :

BERNARD L. MADOFF, :

Debtor. :

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IRVING H. PICARD, Trustee for the Liquidation :
Of Bernard L. Madoff Investment Securities LLC :

Plaintiff, :

v. :

STANLEY SHAPIRO, individually, as general :
partner of S&R Investment Co., as trustee for LAD :
Trust, as trustee for David Shapiro 1989 Trust, as :
amended, and as trustee for Leslie Shapiro 1985 :
Trust, as amended, :

RENEE SHAPIRO, individually, as general partner :
of S&R Investment Co., as trustee for LAD Trust, :
as trustee for David Shapiro 1989 Trust, as :
amended, and as trustee for Leslie Shapiro 1985 :
Trust, as amended, :

S&R INVESTMENT CO., :

LAD TRUST, :

DAVID SHAPIRO, individually and as trustee for :
Trust F/B/O [W.P.S.] & [J.G.S.], :

SIPA LIQUIDATION

No. 08-01789 (BRL)

Adv. Pro. No. 10-05383(SMB)

RACHEL SHAPIRO,

DAVID SHAPIRO 1989 TRUST, as amended,

TRUST F/B/O [W.P.S] & [J.G.S.],

LESLIE SHAPIRO CITRON,

LESLIE SHAPIRO 1985 TRUST, as amended,

TRUST F/B/O [A.J.C.], [K.F.C.], &
[L.C.C.], as amended, and

KENNETH CITRON, individually and as trustee
For Trust F/B/O [A.J.C.], [K.F.C.],
[L.C.C.], as amended,

Defendants.

.....X

**DECLARATION OF BARRY R. LAX IN
SUPPORT OF DEFENDANTS' MOTION TO DISMISS
THE TRUSTEE'S SECOND AMENDED COMPLAINT**

I, Barry R. Lax, declare pursuant to 28 U.S.C. § 1746, that the following is true:

1. I am a member of the Bar of this Court and a Partner at the firm of Lax & Neville LLP, attorneys for Defendant Stanley Shapiro, individually, and as the executor for the estate of Renee Shapiro.
2. Attached hereto as Exhibit A is a true and complete copy of the Subpoena, dated September 11, 2018, the Trustee served on non-party JPMorgan Chase Bank, N.A..
3. Attached hereto as Exhibit B is a true and complete copy of the Responses and Objections of Non-Party JPMorgan Chase Bank, N.A. to Plaintiff's Subpoena for Production of Documents dated September 25, 2018.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
October 15, 2018

/s/ **Barry R. Lax**
Barry R. Lax, Esq.